

Michigan Judges Association

Founded 1927

April 29, 2011

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Corbin Davis
Clerk of the Court
Michigan Supreme Court
P.O. Box 30052
Lansing, MI 48909

RE: ADM File No. 2011-04 Proposed Amendments of Rule 3.911 and Rule 3.915 of the Michigan Court Rules

Dear Clerk Davis:

At its April 19, 2011 meeting, the Executive Board of the Michigan Judges Association (MJA) considered the above rule amendments published for comment. The Executive Board voted to oppose the proposed amendment of Rule 3.911.

Rule 3.911 as currently written, provides that a party must request a jury trial within 14 days after being advised of the right to a jury trial, or 14 days after an appearance by an attorney or lawyer-guardian-ad-litem, whichever is later, but no later than 21 days before trial. The court may excuse a late filing in the interest of justice.

The Executive Board is concerned that this amendment would eliminate the early demand and permit a request for jury trial 21 days before trial. Jury trials require more scheduled time than bench trials. The Executive Board believes that the proposed change would lead to needless delays and would cause havoc with the scheduling of cases for prompt resolution if a demand for jury were to be allowed shortly before the scheduled trial date. As case resolution guidelines in juvenile matters are short, it is imperative that the court be able to schedule trials efficiently.

The Board voted to support the proposed amendment to **Rule 3.915**.

We thank the Court for its publication of the proposed amendments. Please contact me with any further questions.

Sincerely,



Hon. Annette Berry, President
Michigan Judges Association

Corbin R. Davis, Clerk of the Court

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cc: Hon. Robert P. Young, Jr., Chief Justice Michigan Supreme Court
Ms. Anne M. Boomer, Administrative Counsel, Michigan Supreme Court ✓
Hon. Timothy G. Hicks, President-Elect, Michigan Judges Association
Hon. Paul E. Stutesman, Committee Chair, Rules, Michigan Judges Association
Hon. Joan E. Young, Committee Chair, Family, Michigan Judges Association